

Remarks

In the present application, claims 1, 5, 6, 10, 12, 21 and 22 have been amended. Claims 1 to 10, 12 to 19, 21 and 22 remain pending. Reexamination and reconsideration of the pending claims in view of the above amendments and the following remarks are respectfully requested.

Substantive Rejections

The Examiner rejected claims 1 to 7 under 35 U.S.C. §102(b) as being anticipated by Bender, U.S. Patent No. 2,375,461. These rejections are respectfully traversed.

Claim 1, as amended, recited in part a retractable triangular column including at least three adjacent section chains with a plurality of sections included in each section chain. Each section chain has a chain connection member extending outwardly from opposite sides of each section. A surface of each chain connection member slopes toward a point. These chain connection members couple to chain connection members of adjacent section chains to form a rigid triangular column as the section chains are raised in an operable position.

As was discussed in an interview between the Examiner and Applicants' representative Alan Stewart on August 11, 2005, the cited prior art does not disclose a triangular column. All versions of the compression resistant chains of the cited prior art disclose a column having a rectangular cross-section, with two chains fitting about a third central chain.

Claims 2 to 7 depend from and further limit claim 1.

For at least these reasons, Applicants submit that claims 1 to 7 are not anticipated by the cited prior art and that claims 1 to 7 are in condition for immediate allowance. Reexamination and reconsideration are respectfully requested.

Claims 12 to 17, 19, 21 and 22 were rejected under 35 U.S.C. §102(b) as anticipated by Bender. These rejections are respectfully traversed.

Claim 12, as amended, recites in part a retractable triangular column with at least three section chains, each chain including a plurality of pivotably connected sections that can be rolled up on a take up mechanism layered atop one another. A first chain connection member is attached to each section and extends in a horizontal manner from the section. A second chain connection member extends in an offset manner from each section. The chain connection members are curved and the first and second chain connection members of adjacent section chains engage as the section chains are extended from the take up mechanism.

Bender, as noted above, does not disclose a triangular column. All versions of the compression resistant chains of the cited prior art disclose a column having a rectangular cross-section, with two chains fitting about a third central chain.

Further, the chain connection members of Bender do not extend at an offset manner from the section to which they are attached. As recited in claim 12, one of the chain connection members of each section extends in a horizontal manner, while the other extends in an offset manner. The chain connection members of Bender are disclosed as extending only toward each other. Any offsetting of one of the chain connection members of a section as compared to the other chain connection member of the same section would cause the adjacent chains to not engage each other. Thus, Bender teaches away from the chain connection members having different extensions, as recited in claim 12. Still further, no take up mechanism is disclosed in Bender on to which the sections of each chain are layered atop one another.

Claim 13 to 19 depend from and further limits claim 12.

Claim 21, as amended, recites in part an apparatus for raising a retractable triangular column including at least three section chains operably positioned so that they can be raised or lowered concurrently, and that raising the section chains acts to directly couple each section chain to the adjacent section chain.

Bender, as noted above, does not disclose a triangular column. All versions of the compression resistant chains of the cited prior art disclose a column having a rectangular cross-section, with two chains fitting about a third central chain.

Claim 22, as amended, recites in part a retractable triangular column including at least three section chains which a first and a second hook attached to each section. The first hook extends in a horizontal manner from each section while the second hook extends opposite the first hook and in an offset manner. Each first hook is adjacent an offset hook of an adjacent section chain and these adjacent hooks form an interlocking engagement.

Bender, as noted above, does not disclose a triangular column. All versions of the compression resistant chains of the cited prior art disclose a column having a rectangular cross-section, with two chains fitting about a third central chain.

Further, the chain connection members of Bender do not extend at an offset manner from the section to which they are attached. As recited in claim 22, one of the chain connection members of each section extends in a horizontal manner, while the other extends in an offset

manner. The chain connection members of Bender are disclosed as extending only toward each other. Any offsetting of one of the chain connection members of a section as compared to the other chain connection member of the same section would cause the adjacent chains to not engage each other. Thus, Bender teaches away from the chain connection members having different extensions, as recited in claim 22.

For at least these reasons, Applicants submit that claims 12 to 17, 19, 21 and 22 are not anticipated by the cited prior art and that claims 12 to 17, 19, 21 and 22 are in condition for immediate allowance. Reexamination and reconsideration are respectfully requested.

Allowable Subject Matter

Applicants appreciate the Examiner's indication that claims 8 to 10 and 18 include allowable subject matter and would be allowable if rewritten in independent form. In view of the amendments and discussion above, Applicants decline to rewrite claims 8 to 10 and 18 at this time but reserve the right to do in the future.


If the Examiner has any questions regarding the above Amendments and Remarks, the Examiner is invited to contact Applicants' representative Alan Stewart at 612.371.5376.

Respectfully submitted,

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